United Nations
Centre against Apartheid

Information Note No. SCA/GE/90/3 29 November 1990

THE RUSTENBURG DECLARATION
adopted by Church Leaders of South Africa, at a meeting in Rustenburg, 5-9 November 1990

PREAMBLE

We, 230 representatives of 80 denominations and 40 organizations participating in the National Conference of Church Leaders in South Africa, have come together in Rustenburg in the belief that it is under the authority of God's Word and the guidance of the Holy Spirit. We have been convinced anew of God's amazing grace by the way in which, despite our wide variety of backgrounds, we have begun to find one another and to discover a broad consensus through worship, prayer, confrontation, confession and costly forgiveness. We have sought a spirit of patience, mutual care and openness as we have tried to discern the mind of Christ and have often been surprised how our views on many issues have converged. Some of us are not in full accord with everything said in this conference, but on this we are all agreed, namely the unequivocal rejection of apartheid as a sin. We are resolved to press forward in fellowship and consultation towards a common mind and programme of action.

Coming from diverse Christian traditions, histories, political persuasions and cultural backgrounds, we engaged midst joy and pain, love and suspicion, in a process of soul-searching and wrestling with the theological and socio-political complexities of our country. In the process, we have a strong sense that God was at work among us. We became aware that He was surprising us by his grace which cut through our fears and apprehension. We give praise to this liberating God who is forever faithful in visiting His people in their hour of need.

I. CONTEXT

1. The conference has met at a critical time of transition in our country. We thank God that we are already in a period of gestation with the hope of a democratic, peaceful and just dispensation emerging for our nation. Yet many people are

continuing to suffer immensely under ongoing structures of injustice. Recent months have also seen the upsurge of violence in many areas and much brutalizing of innocent people. There is also extensive alienation among young blacks and a seemingly interminable crisis in black education. Unemployment has reached alarming proportions. The crisis in our land has also been aggravated by grossly inadequate housing in the black community. All this is leading to the social and economic disintegration of our society.

2. We believe, however, that we stand on the threshold of new things. There appears to be the possibility of a new dispensation and the promise of reconciliation between South Africans as some of our black and white leaders prepare to negotiate together for a new and liberated nation of equity and justice. In this context Christians are called to be a sign of hope from God, and to share a vision of a new society which we are prepared to strive for, and if needs be, suffer for.

3. We acknowledge that this hope will elude us unless we can break completely with the past. Accordingly we make the following confession.

II. CONFESSION

4. While in this document we focus attention on apartheid, we recognize that there are many other sins in our society which call for repentance.

5. As representatives of the Christian Church in South Africa, we recognize that the South African situation owes much to the content of western colonialism, to the stifling of conscience by inherited social attitudes which blind communities to the wrong they reflect and to a weakness common to the world-wide church in dealing with social evil. Now, however, we confess our own sin and acknowledge our heretical part in the policy of apartheid which has led to such extreme suffering for so many in our land. **We denounce apartheid, in its intention, its implementation and its consequences, as an evil policy. The practice and defence of apartheid as though it were biblically and theologically legitimated in an act of disobedience to God, a denial of the Gospel of Jesus Christ and a sin against our unity in the Holy Spirit.**

6. We remember with sorrow the victims of apartheid who have suffered and continue to suffer humiliation, dispossession and death. We pay tribute to those who have stood resolutely for justice and cared for the oppressed.

7. We know that without genuine repentance and practical restitution we do not appropriate God's forgiveness and that without justice true reconciliation between people is impossible. We also know that this process must begin with a contrite church.

8. We therefore confess that we have in different ways practised, supported, permitted or refused to resist apartheid:

A. Some of us actively misused the Bible to justify apartheid, leading many to believe that it had the sanction of God. Later, we insisted that its motives were good even though its effects were evil. Our slowness to denounce the sin of apartheid encouraged the Government to retain it.

B. Some of us ignored apartheid's evil, spiritualizing the Gospel by preaching the sufficiency of individual salvation without social transformation. We adopted an allegedly neutral stance which in fact resulted in complicity with apartheid. We were often silent when our sisters and brothers were suffering persecution.

C. Some of us were bold in condemning apartheid but timid in resisting it. Some churches failed to give effective support to courageous individuals at the forefront of protest against evil. We spoke out for justice but our own church structures continued to oppress. We blamed other churches and were blind to our own inconsistencies.

9. Those of us who have perpetuated and benefitted from apartheid are guilty of a colonial arrogance toward black culture. We have allowed State institutions to do our sinning for us. In our desire to preserve the Church we have sometimes ceased to be the Church. We have often been more influenced by our ideologies than by Christ's Gospel. We have continued to move in separate worlds while claiming to be one Body. We have insulated ourselves from the pain of black Christians. By failing sufficiently to challenge the violence of apartheid and its enforcement, we have permitted a culture of violence in which our people believe that force is the only way to deal with any dispute. Human life has become cheap. By our faltering witness we have allowed families to be broken, children to go uneducated and millions of people to be denied work. We have erected economic systems based on race. By our disunity and disrespect for other people's beliefs and opinions we have encouraged a fragmented and intolerant society. Most of all, we have been unwilling to suffer, loving our comfort more than God's justice and clinging to our privilege rather than binding ourselves to the poor and oppressed of our land.

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10. Those of us who are the victims of apartheid acknowledge our own contribution to the failure of the Church. While colonialism and oppression have damaged our self-esteem and eroded the fibers of "ubuntu" (humanness) which held our communities together, we acknowledge that many of us have responded with timidity and fear, failing to challenge our oppression. Instead we have acquiesced in it and accepted an inferior status. Some of us have become willing instruments of the repressive State machinery. Others have reacted to oppression with a desire for revenge. Many of us who have achieved privilege have exploited others. An indifference to suffering has crept into our communities, often leading to ostracism of those who have stood courageously for justice and truth. Some of us have failed to be instruments of peace in a situation of growing intolerance of ideological differences. Others of us have also neglected our calling to contribute to the theological renewal of the Church.

11. Those of us who are male confess that we have often disregarded the human dignity of women and ignored the sexism of many of our church, social, political, economic and family structures. By limiting the role and ministry of women - as was reflected in this Conference - we have impoverished the Church. We have been insensitive to the double oppression suffered by black women under sexism and apartheid.

12. We confess that we have prevented youth from full participation in the life of the church and have ignored the issues facing youth. We acknowledge with sorrow that apartheid has brutalized young people and turned youth against youth in conflict.

13. Therefore in these and other ways, all the representatives at this Conference confess that we have often let the world rather than the Gospel mould us and we have served our selfish interests rather than Christ.

14. With a broken and contrite spirit we ask the forgiveness of God and of our fellow South Africans. We call upon the members of our churches to make this confession their own. We call upon the Government of South Africa to join us in a public confession of guilt and a statement of repentance for wrongs perpetrated over the years.

III. DECLARATION

15. To the Church of Jesus in South Africa we address an appeal to adopt our confession and pledge itself to restitution. We call for an end to racial disparities in clergy remuneration; to

deploy clergy without regard to colour or social status; and to end all discrimination within the church on the basis of sex or race. We call on church leaders to carry the confessions and commitments of this Declaration into the life of every congregation in the country.

16. To the nation we declare the compelling necessity for all to renounce and turn from personal, economic, social and political sin, most especially the sin of racism in both our souls and our structures. We call every South African to be positively involved in nation-building.

17. To political leaders, we express appreciation for the progress made thus far and we address an appeal that you meet urgently to negotiate a new and just order for our country. We call on the Government to repeal as a matter of urgency all apartheid laws, such as the Land Act and the Group Areas, Population Registration, Homelands, Black Local Authorities, Black Education and Internal Security Acts. We also call for the granting of unconditional indemnity to political exiles, the immediate release of all political prisoners and for the return of property confiscated from previously banned organizations. We assure all leaders of our prayers in these historic and demanding tasks.

18. To the world-wide church we declare gratitude for loving care, confrontation, prayer, support and solidarity over many years. We ask you all to continue to stand with us.

IV. AFFIRMATION

19. We affirm and highlight the following:

A. Justice

(i) The Bible reveals God as a God of compassionate love who has a special care for the sinner, the downtrodden, the poor and all who suffer injustice. Obedience to Christ therefore requires that we develop an economic system based on justice, compassion and co-responsibility, so that those in need benefit more than those who have more than they need. More equitable wealth distribution must go hand in hand with economic growth.

(ii) After decades of oppression, the removal of discriminatory laws will have to be accompanied by affirmative acts of restitution in the fields of health care, psychological healing, education, housing, employment, economic infrastructure, and especially land ownership. For many years, greed has led to

the taking of land from the poor and weak. Both church and state must address the issue of restoring land to dispossessed people.

B. Church and State

(i) In the past we have often forfeited our right to address the State by our own complicity in racism, economic and other injustice and the denial of human rights. We also recognize that in our country the State has often co-opted the Church. The Church has often attempted to seek protection for its own vested interests from the State. Our history compromises our credibility in addressing Church-State issues.

(ii) We therefore commit ourselves to the struggle for a just, democratic, non-racial and non-sexist South Africa so that our witness may carry greater credibility when we address Church-State relations in the new dispensation.

(iii) Our highest loyalty as Christians is always to God. The State is always under God, its power is limited and it is a servant for good, firstly to God and then impartially to all the people it represents. We therefore ask that the separation of Church and State, the necessity for the freedom to believe, practice and propagate religion, and freedom of association be guaranteed equally to all.

(iv) On the basis of biblical and ethical values, we call upon those negotiating a new South African constitution to respect the following principles in the Constitution:

a. The preciousness and value of human life created in the image of God;

b. The exclusion of all racial, gender, class and religious discrimination the implementation of justice;

c. The acceptance of the rule of law under an independent judiciary;

d. The entrenchment of a Bill of Rights subject to the judiciary alone, noting the Christian conviction that basic human rights are God-given and not therefore conferred or removable by any State;

e. The establishment of a democratic elective process based on one-person, one-vote on a common voters' role, in a multiparty democracy in a unitary state;

f. The sincere commitment to employment, housing, education, housing, health and welfare for all South Africans;

g. The limiting of the power of the security machinery of the State, including the police, for the protection of the population;

h. The embodiment of the right of individuals or religious groups to preserve and protect the moral values that affect marriage, family life and particularly moral norms. We express particular concern for the protection of children from abuse. This should be available to all religious groups in terms of their life and world view.

(v) Further, we call for the negotiation of a new constitution by a body clearly and fully representative of all South Africans. We ask the Government to discuss with other political parties the setting up of a form of administration or government which will ensure that the interests of all South Africans are adequately represented in the transitional period until a new constitution has been agreed upon.

C. Peace

(i) In both the Old and New Testaments God's peace or shalom speaks of a comprehensive wholeness and rightness in all relationships, including those between God and his people, between human and human and between humans and creation. In South Africa peace and shalom are shattered, not only by personal but also by social and structural sin. The consequences are devastating: racial alienation, mistrust, humiliation, exploitation of humans and the environment, privation of basic needs, denial of self worth. Perhaps most devastating has been the emergence of a social climate in which violence and death rather than cooperation and life have become the norm.

(ii) The causes of violence include inter alia:

a. Decades of exploitation of black workers leading to the creation of desperate economic inequities;

b. The denial of full political rights to most South Africans;

c. The resulting struggle by black South Africans against an oppressive white political system, culminating in violence becoming the norm for political response;

d. The apparent emergence of "third forces" dedicated to sowing confusion;

e. Poverty, inter-group rivalry and competition for limited resources;

f. Power struggles between some political parties;

g. The uprooting of families from their traditional homes, leading to the breakdown of family structures and parental authority;

h. The resulting spiritual problems;

i. Spiritual principalities and powers of evil active across the human spectrum.

(iii) We need to respond to the violence by:

a. Mobilizing church agencies to help collect evidence about violence and present it to the authorities and political organizations;

b. Condemning the perpetrators of all forms of violence;

c. Supporting victims materially and spiritually;

d. Encouraging all South Africans to enter the process of negotiations, with conditions of safety to facilitate this being fully ensured;

e. Praying for the cessation of violence and the speedy social, economic and political transformation of the land;

f. Convening a task force to coordinate church strategies;

g. Calling a peace conference to bring together leaders who can help end violence.

D. <u>Spirituality, mission and evangelism</u>

(i) The work and mission of the Church is a consequence of its worship, prayer, fellowship and spirituality. We commit ourselves to deepen these aspects of the practice of our faith. We resolve to fulfill the great commission and, by evangelistic

faithfulness, to bring men and women to repentance and personal faith, new birth and salvation and to help them to work this out in a witness which engages the world. We recognize our need for the equipping fullness of the Holy Spirit's fruit and gifts and we call on God's people to pray for spiritual renewal in the land.

V. RESTITUTION AND A COMMITMENT TO ACTION

20. Confession and forgiveness necessarily require restitution. Without it, a confession of guilt is incomplete.

21. As a first step towards restitution, the Church must examine its land ownership and work for the return of all land expropriated from relocated communities to its original owners. "White" schools must be opened to people of all races and programmes of affirmative action embarked upon at all levels of black education.

22. We call for a national day of prayer for the purpose of acts of intercession, confession, forgiveness and reconciliation. We urge that these be accompanied by a declaration of intention to engage in a common witness to God's love and justice. The National Conference requests the formation of a Liaison Committee to plan such a day of prayer and to consider the recommendation of the "silent minute" concept.

23. The National Conference asks churches which own private schools to review their policy on such schools with a view to making them accessible to the underprivileged.

24. We request the Liaison Committee to provide study material for use by the churches seeking to equip members with a better understanding of their mission in a new South Africa.

25. The National Conference asks churches to make available financial and human resources to enable the work of reconstruction and renewal of South African society. It asks churches to co-operate in programmes for the welcoming and rehabilitation of such people.

26. The National Conference requests churches and organizations present to place on their agendas as a matter of urgency the following:

A. The need to work towards a new economic order in which the needs of the poor can be adequately addressed;

B. The provision of work for the unemployed;

C. The provision of adequate homes and essential services for the poor.

D. The need to work towards parity in the standards of living between black and white people.

E. The need to eradicate poverty and hunger.

F. Affirmative action to enable the transfer of some of the economic power presently in white hands.

G. Affirmative action in relation to women's rights.

H. The consideration of major health issues, e.g. AIDS.

27. The National Conference authorizes the Steering Committee to pass any information it considers might be of interest to community organizations.

VI. CONCLUSION

28. We give thanks to God for past grace and faithfulness, by which He has seen fit to use so many of His people here, in spite of our many weaknesses and sins, to bear witness to His Name, to proclaim His saving Gospel and bring blessings to many, to labour for justice and to care for the poor, oppressed and needy. We give praise in our belief that in wrath He has remembered mercy. This being so we are enabled by His Spirit to move forward together in His Name and call others to do likewise so that the Kingdom of our God and His Christ may be extended far and wide both in our land and beyond. And so to that Name which is above every name, even the Name of Jesus, we ascribe all might, majesty, dominion and praise. Amen.

United Nations

Centre against Apartheid

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SPECIAL COMMITTEE AGAINST APARTHEID CALLS ON THE INTERNATIONAL COMMUNITY TO REAFFIRM ITS COMMITMENT TO PRINCIPLES SET IN CONSENSUS DECLARATION ON APARTHEID

[Note: This issue contains excerpts from the Report of the Special Committee against Apartheid to the forty-fifth session of the United Nations General Assembly.]

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II. SITUATION IN SOUTH AFRICA

A. General political conditions

South Africa has entered a process of change that may lead to the end of apartheid through negotiations. The resistance of the majority of its people and international pressure have been instrumental in persuading the leadership of the National Party to move towards the eradication of the apartheid system and negotiations on a new constitution. A number of positive developments, in particular the lifting of the ban on political opposition organizations and the release of some political prisoners, including the African National Congress of South Africa (ANC) leader Nelson Mandela, and the talks between ANC and the Pretoria régime, all have contributed to removing some of the obstacles to negotiations.

Although President Frederik Willem de Klerk has introduced some significant measures in the right direction, the resulting changes that have occurred are far from being fundamental. Most of the pillars of apartheid remain, free political activity hardly exists and negotiations on a new constitution are yet to take place. While the régime has lifted the ban on ANC, the Pan Africanist Congress of Azania (PAC), the South African Communist Party (SACP) and other political organizations, and has ended the state of emergency, it has failed to fully implement all the necessary conditions to create a climate conducive to negotiations as set out in the United Nations Declaration on Apartheid and its Destructive Consequences in Southern Africa. Indeed, as the Secretary-General noted in his report of 1 July 1990 "... While it is evident that an important process has been set in motion [in South Africa], many believe that the Government should implement all measures in their totality to create the appropriate atmosphere ..." 1/

The wave of violence, particularly that engendered by groups associated with the apartheid structures, with the security forces and the extreme right, is a matter of extreme concern. It is threatening to delay if not derail the fragile process of change. A climate of peace in which free political activity can take place has been identified by the international community as a necessary condition for a negotiated resolution of the conflict. The pervasive violence is a strong factor in preventing previously banned organizations from effectively rebuilding their structures and it impedes the development of a democratic debate on negotiations and a future constitution. The violence has both political and socio-economic dimensions — the political determinants of the violence are rooted in and sustained by underlying social and material conditions. This violence may ultimately serve the interests of the régime. As long as political organizations are unable to rebuild effective structures, the régime may hold an advantage that may ultimately allow it to set the pace of negotiations and even the terms of the constitutional dispensation itself.

A series of developments within and outside South Africa have shaped the present political configuration. The election of President F. W. de Klerk contributed to the realization by the leadership of the National Party that the apartheid system was bankrupt and was leading the country to even further

decline. Apartheid, in effect, became unworkable as a result of the pressure exerted on the régime by the continuing and concerted internal resistance and by the sanctions and boycott policies imposed by the international community.

The upsurge in popular resistance against apartheid organized by the anti-apartheid forces in 1989, represented a decisive shift in the political balance in favour of those seeking a democratic solution to the country's problems. A nation-wide campaign of defiance of apartheid laws galvanized opposition to such levels that could not be quelled except through massive levels of repression. In parallel with the continuing resistance, the country's economic situation was deteriorating as a result of sanctions. Financial pressure, in particular, exercised partly by governmental restrictive measures and by business decisions, deprived South Africa of capital to pursue the growth of its apartheid economy and to sustain a strong security apparatus.

The measures announced by President de Klerk on 2 February 1990 took place against a background of growing political defiance and economic decline. At the same time, the shifts in the balance of political forces in South Africa were strengthened by important developments within the international community. The progressive relaxation of tensions in international relations favoured solutions to regional conflicts through negotiations. The access of Namibia to independence in March 1990 is evidence of this trend in world affairs as is the ongoing process of negotiations concerning the conflicts in Mozambique and in Angola.

At a most appropriate timing, the United Nations made a critical contribution to the process towards the peaceful end of apartheid. At the Special Session of the General Assembly held in December 1989, the United Nations Declaration on Apartheid and its Destructive Consequences in Southern Africa was adopted by consensus. This was the first time that a substantive text on the situation in South Africa was adopted by all the members of the United Nations unanimously. Based largely on the Harare Declaration, the United Nations Declaration for the first time laid down internationally agreed steps towards a negotiating climate and fundamental principles for a united, non-racial and democratic South Africa. 2/ The United Nations Declaration also prescribed a programme of work by the international community, recognizing that pressure needed to be maintained on the régime to end apartheid and to begin negotiations for a new constitution.

The determination of ANC to find a negotiated solution to the conflict and the declared commitment of the authorities to such an objective have been important factors in moving the process along, present difficulties notwithstanding. The Groote Schuur and the Pretoria Minutes represent a significant shift in the situation in South Africa, particularly in light of the ANC's milestone decision to suspend the armed struggle. The agreement concerning the future release of political prisoners and the return of political exiles, as well as the review of existing security legislation, has laid the ground for further progress towards negotiations. Although PAC and other organizations have not yet been participants in the current talks, it is considered that their participation is necessary to ensure the success of the negotiating process.

The lifting of the ban on political parties and movements has led to a degree of mobilization unprecedented in South Africa's history, notwithstanding continuing restrictions. Along with their allies, namely the trade union federations, youth and student organizations, women's groups, religious, sports and other bodies, the national liberation movements are attempting to rebuild their structures of organization and to lay the ground for a democratic debate on a new constitution for South Africa. The process is fraught with difficulties in light of the legacy of the violence of apartheid, which has for long prevented freedom of association and freedom of speech.

While the developments outlined above are overall encouraging, the reality of apartheid for the black majority has hardly changed. With the exception of the Reservation of Separate Amenities Act No. 49 of 1953, the institutional pillars of apartheid remain in place and have resulted in a high rate of unemployment, the housing and education crises and the dispossession of land. As the Secretary-General observes in his report: "Some of the data [of the report] illustrate vividly the grave social injustices that have been inflicted by apartheid on the black population. [The Secretary-General] would strongly endorse any measures aimed at redressing the social and economic imbalances ... Such measures would go a long way towards addressing effectively glaring inequalities ... ."

Although the recent measures announced by the régime are encouraging, the fundamental issue at stake, however, remains unchanged: will South Africa be transformed into a non-racial, united, democratic State or will the hegemony of the existing white minority bloc be entrenched in new and subtle forms? The issue of negotiations has now become a major site and instrument of struggle.

Developments in the recent period demonstrate that the international community needs to maintain the pressure on the Pretoria régime in order to accelerate the process towards negotiations on a new constitutional order for South Africa. With very few exceptions, the international community has retained consensus on the need to maintain existing measures on South Africa until the process of change has become profound and irreversible. This was reaffirmed by the consensus resolution on apartheid adopted by the General Assembly on 17 September 1990. 3/

In the same vein, events in the southern African region indicate that the international community should increase its efforts to support the ongoing negotiations in Angola and Mozambique and to assist in the reconstruction of their economies that have been ravaged by Pretoria's acts of aggression and destabilization against them.

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VI. CONCLUSIONS AND RECOMMENDATIONS

A process of change has been set in motion in South Africa. However, continued efforts are necessary to ensure the realization of the ultimate objective, namely the eradication of apartheid. It is hoped that the current talks between the South African authorities and ANC would lead to the removal of obstacles to negotiations and the adoption of a new constitution that will guarantee the establishment of a democratic and non-racial society in South Africa. The combined effects of the internal resistance and external pressures have brought the ruling National Party to the realization that the system of apartheid is unworkable and that political change is necessary to lead the country out of international isolation and economic stagnation.

In this context, the adoption of the United Nations Declaration on Apartheid and its Destructive Consequences in Southern Africa was a substantive contribution to this evolving process of political change. The international community's consensus expressed in that Declaration has become the yardstick with which the actions of the South African authorities and members of the international community are being assessed. The United Nations Declaration outlined the five steps that Pretoria should undertake to create the necessary climate conducive to negotiations, and made suggestions regarding the process of negotiations and the principles on which a new constitution should be based.

Earlier this year, the South African authorities declared their intention to eradicate apartheid and start negotiations on a new constitution. The measures announced by President De Klerk so far, and the understandings reflected in the Groote Schuur and Pretoria Minutes, resulted in the undertaking of some of the necessary steps, while the others have been implemented only partially. To date, relatively few political prisoners have been released, only a handful of exiles have been allowed to return with indemnity, the Internal Security Act and other repressive legislation have not yet been repealed or even revised, troops move in and out of the townships, and some political trials are still under way. Thus, while President de Klerk made a significant break with the past by lifting the ban and restrictions on political organizations and persons, and by ending the state of emergency, a climate conducive to negotiations has not yet been fully established.

Furthermore, although the measures taken so far have allowed ANC, PAC, and other political groups and persons to transform their activities and begin to organize openly, political activity has been seriously thwarted by the continuing restrictions imposed by the authorities and by the violence of forces opposed to the democratic transformation of the country. The continuing violence by the extreme right and certain elements of the security forces, in addition to the violent disputes among political organizations, are contributing to the destabilization of communities. Violence is becoming a threat to the fragile process of negotiations and could lead to the creation of a permanent conflict, the consequences of which will be grave.

There is no doubt that the process of change that South Africa is entering into is complex. The South African society is one still inflicted by extreme economic and social disparities, fears and frustrations. The absence

of free political expression has prevented the development of a peaceful, democratic debate. Yet, it is fundamental that conditions for such a debate be created and that organizations be allowed the freedom to define further their political and economic programme for a post-apartheid South Africa. In this context, the authorities in Pretoria have the responsibility to bring this violence to an end and to ensure that their security forces carry out their duties fairly and impartially.

It is disquieting, however, to see that the commitment of the new leadership in Pretoria is tempered by its apparent inability and/or reluctance to control those forces which draw their power from existing apartheid structures and oppose the current process of political change. The degree of commitment also appears to be influenced by political considerations involving the white electorate, and by attempts to keep economic power in the hands of the white minority through privatization and other means. It is also disturbing that the régime intends to remain in the "driver's seat" during the negotiating process. The National Party seems determined to continue ruling the country, steer the negotiations, and be a negotiating party, all at the same time. Against this background, it should be recalled that the United Nations Declaration calls for an agreement among the parties concerned on the mechanisms for the negotiations and on the role that the international community should play in the process.

It is also evident that the current process needs to be broadened to include all representative sectors of South African society. They should participate fully not only on matters related to the constitution, but should also be consulted on other crucial decisions related to land issues and various social and economic programmes. The present glaring inequalities in wealth and income distribution, education, housing and health, mentioned also in the report of the Secretary-General (A/44/960), not only need to be addressed now, but would also have to be dealt with by a future democratic Government.

Beyond these measures, the fact remains that in spite of some opening of political space and the relaxation of press restrictions, an atmosphere free of violence, called for in the Declaration, has not yet been established in the country. ANC took the commendable step of suspending armed actions, and under the leadership of its Deputy President fully engaged in the pre-negotiation talks which have helped to improve the political climate in the country. The vision and perseverance of Mr. Nelson Mandela and of his organization have indeed been instrumental in promoting the present process of change in South Africa. Other parallel initiatives for consultations among churches, trade unions and business groups, local communities and other political and academic groups have also been helpful in promoting a climate of national reconciliation.

Under these circumstances, and taking into account that substantive negotiations have not yet started, it is obvious that the international community should maintain its vigilance and its pressure. In this context, the United Nations Declaration outlined a concrete Programme of Action for the international community. This programme is based on the belief that pressure should be maintained on South Africa, until there is clear evidence of profound and irreversible changes in the country, bearing in mind the

objectives of the Declaration. Undoubtedly, the support of the international community for the anti-apartheid forces in South Africa is indispensable, even crucial, and premature relaxation would be detrimental to the process of change and, thus, to the peaceful future of the country.

The Special Committee against Apartheid notes that with few important exceptions, this international consensus has been maintained, and, on the whole, the international community has not relaxed pressures. However, some disturbing trends are emerging. Quarters which were supportive of the anti-apartheid struggle, and others, which were always reluctant to impose sanctions, now seek justifications to lift them, ostensibly in order to encourage the efforts of President de Klerk.

While the European Community as a whole has adhered to the Programme of Action, the United Kingdom of Great Britain and Northern Ireland has taken some steps towards relaxing its own measures, and along with Portugal, it is reportedly advocating the lifting of some restrictive measures by the Community. While Germany's trade with South Africa was reduced somewhat in 1989, Germany remains the first trading partner of South Africa, followed by Japan and Italy. It is noteworthy that in 1989 Italy emerged as the leading customer of South Africa with a 27 per cent increase of imports from that country, predominantly in gold, representing at least one-third of all South African gold exports.

Even more disquieting is the establishment of diplomatic and trade links of certain African and Eastern European countries with South Africa, manifesting an effective turn about in their policies vis-a-vis South Africa. There is a perceived contradiction on the one hand between the vigorous condemnation of apartheid by these countries, and on the other hand, their practical conduct in respect of the isolation of the apartheid régime by the international community. Hungary, a founding member of the Special Committee, was the first Eastern European country to establish certain relations with South Africa, followed by Poland and Romania. Certain African countries, such as Côte d'Ivoire, Madagascar, Mauritius, and Zaire, have recently established or strengthened relations with South Africa. Furthermore, the opening of air links with South Africa by Côte d'Ivoire, Madagascar, in addition to Spain, are a blow to the isolation front, and will have important economic and psychological effects.

In the economic field, South Africa experienced a relief in its balance of payments pressure resulting from its indebtedness, partly by the Third Rescheduling Agreement and by the decision of some banks to convert their South African loans to the "exit option". In addition, as shown in the report of the Secretary-General on International Financial Pressure on the Apartheid Economy of South Africa (A/45/539), it appears that trade credit agencies from France, Germany, Japan and the United Kingdom have provided substantial financial relief to South Africa. Although such credits cannot serve as a satisfactory substitute for other capital inflows, which presently are meagre, they can provide some assistance to Pretoria in the management of its external account. In this regard, the Special Committee is concerned with the Article IV consultations, held on 10 October 1990, between the Executive Directors of the International Monetary Fund (IMF) and the South African authorities and expects that both IMF and the World Bank will adhere to the international

consensus.

The decrease in the number of withdrawals of transnational corporations (TNCs) from South Africa and the maintenance of non-equity ties, which allows the continuation of the flow of technology to South Africa, is another source of concern. Partial disinvestments by TNCs have been critized by South African trade unions and led them to organize campaigns for fair disinvestment procedures which entail negotiations between them and the disinvesting TNCs on the terms of disinvestment.

Continued violations of the oil embargo have also weakened the effect of sanctions in an area where South Africa is quite vulnerable. Even of greater concern to the international community should be the reported violations of the mandatory arms embargo which allow Pretoria to pursue its arms production and to export its armaments through third party States. While the new Government in Chile has taken steps to cut such links, the continued collaboration of Israel with South Africa, particularly in nuclear and missile technology, raises serious concern. In this context, it is disturbing that the United Nations mechanisms dealing with the mandatory arms embargo have not been as effective in the case of South Africa as they have been in other recent cases.

Overall, it becomes clear that sanctions, in particular financial ones, have imposed serious constraints on the South African economy, primarily through the dearth of loans and capital for investment. In this respect, the report of the Secretary-General on Measures to Monitor Sanctions Against South Africa (A/45/670), concludes that the rather weak co-ordination in the application of sanctions and the different approaches to their implementation among Governments have created a number of loopholes that can and have been used to evade sanctions and reduce their effectiveness. This would seem to be true both for the national measures adopted by individual States and for the measures adopted jointly by a number of Governments. The Secretary-General further notes that the monitoring process would be greatly enhanced if all States adopted enforcement mechanisms to prevent the violations of those measures.

It is, nevertheless, clear that the authorities in South Africa have become keenly aware that sanctions have limited their available options. Thus, at this stage of the fragile process of negotiations, it is crucial that the consensus be upheld on maintaining pressure. Any departure from that consensus could set the process back with dire consequences. To the extent that negotiations for a new constitution are delayed, the forces opposed to the democratic transformation of the country, such as the Conservative Party and the extreme right, who draw supporters also from the security establishment, will find the space to organize further and undermine the current process. The pressure of sanctions should therefore continue to hasten Pretoria's move towards real negotiations and the subsequent adoption of a new constitution heralding the establishment of a democratic and non-racial South Africa.

The process of change that South Africa has entered into is quite dynamic, complex, and fraught with difficulties. Consistency is, therefore, essential to maintaining the unity of the international community on the

eradication of apartheid. In that context, Member States should no longer adopt positions at the United Nations and later take action that is, indeed, contrary to those very same positions. The international community must remain clear that unless profound and irreversible changes take place in South Africa, the possibility remains that apartheid will survive in some disguised form. Negotiations on a new constitution and the establishment of a united, non-racial and democratic South Africa are issues on which there is no compromise. They are indeed the demand of the majority of the people of South Africa, including whites and blacks, and of the international community.

Furthermore, the international community should undertake positive measures to assist the anti-apartheid forces of the country in general, and the return of exiles and the reintegration of released political prisoners, in particular. The effects of apartheid have been so profound and so pernicious both in South Africa and in the neighbouring States that substantial efforts and material support will be required to erase them in the months and years to come. In view of the above, the Special Committee recommends to the General Assembly that it:

1. Reaffirm the principles, guidelines and the Programme of Action contained in the Declaration on Apartheid and its Destructive Consequences in Southern Africa adopted by consensus on 14 December 1989 at the sixteenth special session of the General Assembly;

2. Recall its resolution 44/244, adopted by consensus on 17 September 1990 at the resumed forty-fourth session of the General Assembly;

3. Note the positive measures introduced thus far, and call upon the South African régime to undertake all the necessary measures, including the implementation of the Pretoria Minute of 6 August 1990, to create a climate fully conducive to negotiations, as set out in the United Nations Declaration, in order to facilitate free political discussion, which is an essential condition to ensure that the people themselves participate in the process of remaking their country;

4. Call upon the South African régime to repeal repressive legislation and to remove the pillars of apartheid;

5. Reaffirm its full support for the current process towards negotiations in which the South African authorities and ANC are engaged;

6. Express its grave concern at the violence in South Africa resulting primarily from the continued existence of the apartheid policies, practices and structures and actions of those opposed to the democratic transformation of South Africa; call for an immediate end to violence and urge the South African authorities to take action to end it, specifically by dismantling the apartheid structures as well as by ensuring effective and impartial action by the security forces, and call upon all parties concerned to contribute to the promotion and establishment of a climate free of violence;

7. Reiterate that pressure must be maintained on South Africa, particularly with regard to restrictive measures on trade, investment and

finance, until the General Assembly determines that there is clear evidence of profound and irreversible changes, bearing in mind the objectives of the Declaration;

8. Express its serious concern at the departures from the international consensus reflected in the Programme of Action of the United Nations Declaration by a number of Governments that have prematurely relaxed their restrictive measures and hastened to establish economic and other links with South Africa;

9. Urge the Security Council to consider taking concrete steps for the stricter implementation of the mandatory arms embargo imposed by it in resolution 418 (1977) and 558 (1984) in order to bring an end to the continued violations of the arms embargo;

10. Deplore the actions of those States and organizations which directly and indirectly continue to violate the arms embargo and collaborate with South Africa in the military, nuclear, missile, intelligence, and technology fields;

11. Renew the call upon all States to strictly implement the oil embargo against South Africa and to extend all necessary co-operation to the Intergoverrnmental Group to Monitor the Supply and Shipping of Oil and Petroleum Products to South Africa;

12. Urge all governmental, private and international financial institutions to refrain from providing any financial support or favourable treatment to South Africa;

13. Appeal to all Governments, organizations and individuals to refrain from any cultural, sports, academic and scientific relations that could have the effect of supporting the apartheid system, and to give appropriate assistance in these fields to the anti-apartheid forces and to the disadvantaged sections of the South African society;

14. Appeal to all Governments and organizations to increase all round support and assistance to the national liberation movements and other organizations engaged in the struggle against apartheid;

15. Further appeal to all Governments and organizations to increase assistance to the front-line States, and particularly to Angola and Mozambique, to enable them to reconstruct their economies devastated from years of destabilization;

16. Urge the international community and the Secretary-General, through the relevant United Nations agencies, to provide all possible assistance to facilitate the re-establishment of previously banned political organizations in South Africa, as well as the reintegration of released political prisoners, and returning South African refugees and political exiles;

17. Authorize the Special Committee against Apartheid, in accordance with its mandate and acting as a focal point, with the support services of the

Centre against Apartheid, (i) to continue monitoring closely the situation in South Africa and the actions of the international community, particularly regarding the need for maintaining the pressure on South Africa as called for in the United Nations Declaration; (ii) to continue mobilizing international action against apartheid, inter alia, through collection, analysis and dissemination of information, liaison and consultation with Governments, intergovernmental and non-governmental organizations and relevant individuals and groups able to influence public opinion and decision-making, as well as through hearings, conferences, missions, publicity and other relevant activities;

18. Appeal to all Governments, intergovernmental and non-governmental organizations, information media and individuals to co-operate with the Centre against Apartheid, and the Department of Public Information of the Secretariat, in their respective activities against apartheid, and in particular in monitoring developments concerning international action against apartheid and in disseminating information on the situation in South Africa;

19. Request the Secretary-General to ensure the co-ordination of activities of the United Nations system in the implementation of the United Nations Declaration on Apartheid, and to continue pursuing appropriate initiatives to facilitate all efforts leading to the peaceful eradication of apartheid.

20. Take note of the conclusions and recommendations contained in Part II.

Notes

1/ Policies of Apartheid of the Government of South Africa, Progress made in the Implementation of the Declaration on Apartheid and Its Destructive Consequences in Southern Africa, Report of the Secretary-General, (A/44/960), 1 July 1990, paragraph 12.

2/ A/RES/S-16/1 and Declaration on the Question of South Africa by the Ad-Hoc Committee on Southern Africa of the Organization of African Unity, which was adopted at Harare (Zimbabwe) on 21 August 1989, United Nations Centre against Apartheid Notes and Documents, 7/89, October 1989.

3/ A/RES/44/244, 17 September 1990.